

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1 Page 263, between lines 12 and 13, begin a new paragraph and
- 2 insert:
- 3 "SECTION 222. IC 6-7-2-2.1 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2009]: **Sec. 2.1. As used in this chapter,**
- 6 **"moist snuff" means any finely cut, ground, or powdered tobacco**
- 7 **that is not made to be:**
- 8 **(1) smoked; or**
- 9 **(2) placed in the nasal cavity.**
- 10 SECTION 223. IC 6-7-2-5 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. As used in this
- 12 chapter, "tobacco product" means:
- 13 (1) any product made from tobacco, other than a cigarette (as
- 14 defined in IC 6-7-1-2), that is made for smoking, chewing, or
- 15 both; or
- 16 (2) snuff, **including moist snuff.**
- 17 SECTION 224. IC 6-7-2-7, AS AMENDED BY P.L.234-2007,
- 18 SECTION 201, IS AMENDED TO READ AS FOLLOWS
- 19 [EFFECTIVE JULY 1, 2009]: Sec. 7. **(a)** A tax is imposed on the
- 20 distribution of tobacco products in Indiana at the ~~rate of~~ **following**
- 21 **rates:**
- 22 **(1) For tobacco products other than moist snuff,** twenty-four
- 23 percent (24%) of the wholesale price of the tobacco products.
- 24 **(2) For moist snuff, eighty-five cents (\$0.85) per ounce or**
- 25 **fraction thereof.**
- 26 (b) The distributor of the tobacco products is liable for the tax
- 27 **under subsection (a).** The tax is imposed at the time the distributor:
- 28 (1) brings or causes tobacco products to be brought into Indiana
- 29 for distribution;
- 30 (2) manufactures tobacco products in Indiana for distribution; or
- 31 (3) transports tobacco products to retail dealers in Indiana for

1 resale by those retail dealers.

2 SECTION 225. IC 6-7-2-12 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. ~~(a)~~ Before the
4 fifteenth day of each month, each distributor liable for the tax imposed
5 by this chapter shall:

6 (1) file a return with the department that includes all information
7 required by the department including, but not limited to:

8 (A) name of distributor;

9 (B) address of distributor;

10 (C) license number of distributor;

11 (D) invoice date;

12 (E) invoice number;

13 (F) name and address of person from whom tobacco products
14 were purchased or name and address of person to whom
15 tobacco products were sold; ~~and~~

16 (G) wholesale price, **in the case of tobacco products other**
17 **than moist snuff; and**

18 **(H) product weight, in the case of moist snuff; and**

19 (2) pay the tax for which it is liable under this chapter for the
20 preceding month minus the amount specified in section 13 of this
21 chapter.".

22 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001(ss) as printed June 19, 2009.)

Senator TAYLOR